

REMARKS

Original claims 1-15 are subject to a restriction requirement under MPEP 803 and 35 U.S.C. 121 in the above-identified Office Action.

Upon entry of the present amendment, claims 1-20 are pending in the application, of which claims 1-6, 8-11, and 13-20 read on the elected species. Claims 16-20 are added herein.

SUMMARY OF THE EXAMINER'S POSITION

Specifically, the Examiner has identified the following inventions:

- I. The invention of Figure 1;
- II. The invention of Figure 5;
- III. The invention of Figure 11;

The Examiner has required restriction to one of the identified species for examination.

DISCUSSION

Applicant respectfully traverses the restriction requirement in the above-identified Office Action, and requests reconsideration and withdrawal thereof. Applicant respectfully suggests that the depicted species are all drawn to a single inventive concept within the meaning of 37 C.F.R. 1.141, and should not be subject to restriction.

Even if the Examiner remains convinced that the depicted species are not all drawn to a single inventive concept, applicant respectfully suggests that all of the depicted species are drawn to closely associated inventions.

Moreover, applicant respectfully points out that MPEP section 803 states that

"if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions."

Applicant respectfully suggests that the examination of the entire application would not place a serious burden on the Examiner. In particular, as represented in Figures 1 and 5, respectively, the first and second embodiments are substantially similar in many respects, although the embodiment of Figure 5 includes a storage unit for object data, while the embodiment of Figure 1 does not include this feature. Because of this substantial similarity, the applicant respectfully respects reconsideration and withdrawal of the restriction requirement, or in the alternative, if the requirement is maintained, applicant requests inclusion of the embodiments of Figures 1 and 5 in a single elected species.

However, notwithstanding the above, and in order to comply with Patent Office requirements, applicant elects, with traverse, the group identified by the Examiner as Invention I which corresponds to the invention of Figure 1.

It is applicant's understanding and belief that the subject matter of Claims 1, 2-6, 8-11 and 13-15 read on the elected species.

OTHER MATTERS

Applicant has also added new claims 16-20 herein. New independent claim 16 is generic to all embodiments, and new claims 16-20 are fully supported by the original specification. No new matter has been added to the specification by these amendments. New claims 16-20 are directed to a position detection apparatus that detects the position of a moving robot. Because independent claim 16 is generic, applicant respectfully submits that new claims 16-20 are within the scope of the elected Invention I, which corresponds to the invention of Figure 1.

CONCLUSION

Applicant respectfully submits that all of the above amendments are fully supported by the original application. Applicant also respectfully submits that the above amendments do not introduce any new matter into the application.

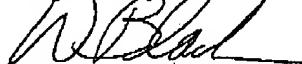
Applicant respectfully submits that the above amendments are fully supported by the original disclosure, including the drawings and claims, no new matter is introduced by the above amendments. The application is now believed to be in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner is not fully convinced of the allowability all of the claims now in the application, applicant respectfully requests that the Examiner telephonically contact applicant's undersigned representative to expeditiously resolve prosecution of the application.

The Commissioner is hereby authorized to charge the \$200.00 fee for one additional independent claim in excess of three to Deposit Account 50-0744 in the name of Carrier, Blackman & Associates, P.C. A duplicate copy of this sheet is enclosed.

Favorable reconsideration is respectfully requested.

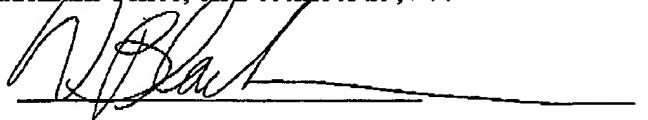
Respectfully submitted,


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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office, on December 29, 2004



WDB/kmm